



UNITED STATES DISTRICT COURT
Western District of Texas
U.S. Pretrial Services Office

Austin Office

December 16, 2010

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FILED

DEC 16 2010

Honorable U. S. Magistrate Judge Robert Pitman

Re: Defendant: Swingle, Merianne Boller
Docket No.: A10-CR-580 LY
Bond Violation Report - No Action Requested

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY
DEPUTY CLERK

Honorable Magistrate Judge:

On September 23, 2010, the defendant was released by your honor on a \$10,000 Unsecured cash bond with pretrial supervision. The defendant is pending disposition for violation of Title 18 U.S.C. § 2252A(a)(2) & 2252A(a)(5)(B).

Pretrial Services alleges that the defendant violated the condition(s) of release by failing to refrain from any use or unlawful possession of a narcotic drug and other controlled substances.

While on bond, the defendant has submitted a total of four (4) positive urine specimens for the presence of marijuana on the following dates: 9/24, 10/8, 10/20, and 11/1/10. The defendant has been confronted in regards to each said positive and has adamantly denied using marijuana since her release on bond. As a result, said specimens were forwarded to an independent lab for confirmation to determine new or residual drug use as the defendant described herself as a "chronic user" of marijuana prior to her arrest in this instant case. On 11/23/10, this officer received the report from independent lab, Toxicology Services in Gretna, LA which indicates it is their opinion that only one of the positive specimens collected on 10/20/10 is as a result of new drug use. It should be noted the defendant's most recent drug test collected on 11/30/10 returned **negative** for any illicit drugs.

The defendant's conditions of release are to participate in drug and mental health treatment as directed by Pretrial Services. As such, the defendant was referred and has been actively participating in said treatment with Dr. Shelley Graham with Shoal Creek Counseling in Austin as of 9/30/10. The defendant has been admonished and warned that any future illicit drug use may result in the revocation of her bond.

This information is being provided to the court as information only, and no action is being requested at this time. The U.S. Attorney's office has been apprized of the above noted and have deferred matter to the court to determine if any legal action should be taken.

If any further information should be required, please contact this officer at 916-5296 ext. 24.

Swingle, Merianne Boller
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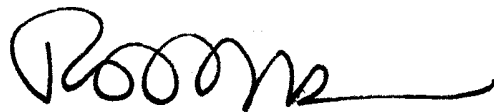
Respectfully,



David Nava
U.S. Pretrial Services Officer

pc: AUSA Matthew Devlin
FPD, Bill Ibbotson

The Court does concur ✓ The Court does not concur



ROBERT PITMAN
U.S. MAGISTRATE JUDGE